

Application of: Shelton et al.

Serial No.: 10/632,098

Filed: 08/01/2003

Reply to Office Action of 04/09/2007

REMARKS/ARGUMENTS

Favorable consideration of this application, in view of the present amendment and following remarks, is respectfully requested.

In the outstanding Office Action, Claim 1 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the invention. Claim 1 has been amended to obviate the objections.

Claims 1-14 were rejected under 35 U.S.C. § 103(a) over Win et al. (U.S. Patent No. 6,182,142), in view of Agerholm et al (U.S. Patent No. 7,093,008).

Claim 1 has been amended to include the limitation of establishing a secure sockets layer connection "*on a predefined Transmission Control Protocol (TCP) port number.*" Win describes initiating "an SSL session with a handshake..." (Col. 22, line 67 to Col. 23, line 3). A SSL handshake typically requires an exchange of certificates to establish the session, while the use of a predefined TCP port number avoids the burden of this extra layer of cryptography. Win does not disclose that the SSL session is initiated on a predefined TCP port number, which is used by the managed appliance to listen for the client workstation initiating a SSL connection. Agerholm does not address that deficiency either.

The Office Action recognizes that Win fails to describe SNMP commands in accordance with the original claims (relying instead on Agerholm), but neither it nor Agerholm indicate that the SNMP commands can be transmitted over "the" secure sockets layer connection that was already established on a "predefined...port number." For the reasons described above, applicant respectfully submits that Claim 1 and its dependent claims are in condition for allowance.

Additionally, with regard to dependent claims 11, 12, and 13, the Applicant notes that the office action makes an incorrect assertion about the Win disclosure at column 9,

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lines 53-62 and figure 5B. The office action indicates that that cited portion teaches a "managed appliance transmits blocks of data comprising the file to the workstation, said blocks of data being transmitted one at a time." (Office Action 04/09/2007, page 6). The applicant respectfully disagrees. First, column 9, lines 53-62, describe figure 5A, not figure 5B—it is not clear if this is just a typographical error in the office action.

Secondly, the cited portion addresses a state diagram of the steps carried out by the Access Server, and does not expressly or impliedly suggest a managed appliance transmitting blocks of data, or that the blocks of data are being transmitted one at a time. Likewise, figure 5B, and the text describing figure 5B found in Column 10, lines 25-38, (describing a state diagram showing the steps carried out in a Login Tracking Service), do not teach a managed appliance transmitting blocks of data, or that the said blocks of data are being transmitted one at a time. For that additional independent reason, Applicant requests reconsideration of claims 11-13 and/or clarification of the rejection.

The Examiner's attention to this application is greatly appreciated. In view of the present amendment and remarks above, the outstanding grounds for rejection are believed to have been overcome and withdrawal of the rejections under § 112 and 103 are respectfully requested. An early and favorable action to that effect is respectfully requested.

CHARGE STATEMENT: Deposit Account No. 501860, order no. 2540-0637.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

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